

REMARKS

1. **Rejection of claims 1, 2, 7, and 10-12 under 35 U.S.C. 102(e) as anticipated by Grieve et al., U.S. Patent Application Publication US 2002/0136936 A1, hereafter “Grieve”.**

It is the PTO’s position that paragraph [0040] and Figure 5 of Grieve disclose a filter comprising a hollow housing body defining a chamber therein; an inlet connected to the housing body and in fluid communication with the chamber thereof; an outlet connected to the housing body and in fluid communication with the chamber thereof; and a filter media disposed in the housing chamber, the filter media comprising: a plurality of fibers; and a sulfur-treating composition operatively associated with the fibers.

Applicants greatly appreciate the detailed basis of rejection but must respectfully disagree.

Grieve discloses a trap for an energy conversion device, i.e., a solid oxide fuel cell (SOFC). *See Grieve, Abstract and paragraphs [0006]-[0009].* Grieve expressly indicates that the disclosed trap is “...for use with energy conversion devices comprising a trapping system comprising a filter element and a reforming system. The reforming system is fluidly coupled to the trapping system, with said trapping system positioned after said reforming system.” *Grieve, paragraph [0011].* As disclosed in paragraph [0009], a reforming system or reformer converts an unreformed fuel to hydrogen and carbon monoxide. It will be appreciated by those of skill in the energy conversion device art that the reformate produced by a reformer is thus a mixture of one or more gases.

As indicated in Figure 3 and paragraph [0036] of Grieve, the regenerable particulate matter trap 110 is positioned so that the sole input to the trap 110 is the gaseous reformate leaving the reformer 100. Thus, Grieve's regenerable particulate matter trap 110 only works with gases.

In contrast, Applicants' claimed invention is a liquid fuel filter. Independent claims 1 and 10 have been amended to more clearly define the required structural element of a liquid fuel filter media in the claimed liquid fuel filter. Support for these amendments may be found throughout the Specification.

Applicants have carefully reviewed MPEP 2111 and 2114 but can find no support for the PTO's construction of claims 1 and 10 that eliminates the word 'fuel' before 'filter'. It is respectfully submitted that 'fuel filter' is not a statement of intended use but rather defines what the claimed invention is. Applicants can find no requirement that the invention be defined solely via a single noun.

Moreover, one of skill in the art can find nothing in Grieve to suggest that the regenerable particulate matter trap 110 would function with a liquid input.

To constitute anticipation, all material elements of a claim must be found in one prior art source. *In re Marshall*, 198 U.S.P.Q. 344 (C.C.P.A. 1978). This standard has not been met with the disclosures of Grieve. In particular, the regenerative particulate trap of Grieve is not a liquid fuel filter and fails to disclose the required element of a liquid fuel filter media.

Reconsideration and removal of the rejection is respectfully requested as to amended independent claims 1 and 10. Favorable action is also requested as to
H0001541 10

dependent claims 2, 7, and 11-12 since these claims incorporate the limitations of amended independent claims 1 and 10.

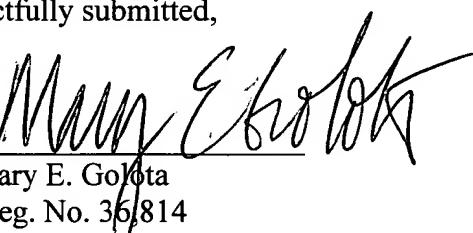
2. Objection to claims 3-6, and 8-9.

Claim 4 has been corrected with respect to the misspelling of "comprises".

Applicants appreciate the PTO's indication that the subject matter of claim 3-6 and 8-9 would be allowable if presented in independent form and amended to overcome any nonart rejections/objections. New claims 27-29 reflect the respective incorporation of the limitations of dependent claims 3, 6, and 9 into independent claim 1. Favorable action of all pending claims is respectfully requested. If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, he is invited to call the telephone number below for an interview.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully submitted,

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H0001541

11